

**DRAFT ENVIRONMENTAL ASSESSMENT
DRAFT MANAGEMENT PLAN
DRAFT SOCIOECONOMIC ASSESSMENT
(August 2010)**

**DUGAS FARMS
CONSERVATION EASEMENT
(CASCADE COUNTY)**

PREPARED AND PROPOSED BY:

Montana Fish, Wildlife & Parks
Wildlife Division
4600 Giant Springs Road
Great Falls, MT 59405
(406) 454-5840

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DRAFT ENVIRONMENTAL ASSESSMENT

I. INTRODUCTION

Montana Fish, Wildlife & Parks (FWP) invites the public to comment on a proposal to purchase a perpetual conservation easement on the 800 acre Dugas Farms currently owned by Larry and Donna Dugas, Ulm, MT. The purpose of the FWP / Dugas Farms conservation easement is to preserve and protect the conservation values of the Land, particularly the habitat the Land provides for its wildlife species, and its agricultural and historic resources into perpetuity. The property includes 800 acres along the Missouri River between Ulm and Cascade. Five miles of Missouri River frontage is utilized as the property boundary. The project area is located downstream from the 2,292 acre FWP / Bird Creek Ranch Conservation Easement.

Approximately 220 acres of the property is native riparian habitat, including mature cottonwood, dogwood and green ash stands, having a native shrub grassland understory comprised of snowberry, willow, chokecherry, currant and buffalo berry. The property possesses riparian, emergent and forested wetlands, shrub and native riparian communities important to many wildlife species, including white-tailed deer, pheasant, Hungarian partridge, sharp-tailed grouse, Merriam's turkeys, along with numerous waterfowl, furbearer and non-game wildlife species. Species including burbot, northern leopard frog, trumpeter swan, bald eagle, Townsend's big-eared bat inhabit the ranch and/or neighboring habitats. These species are identified in Montana's Comprehensive Fish & Wildlife Conservation Strategy as species in greatest need of conservation. The property is currently managed as a working farm mostly for grain production, while maintaining and/or enhancing wildlife habitats throughout.

Dugas Farms has the potential to become another "Missouri River subdivision" linking the city of Great Falls to the Cascade community and beyond. Subdivisions and human encroachment are becoming increasingly prevalent throughout the Missouri River area, and will undoubtedly continue into the future. Residential, commercial and/or recreational development could result in direct replacement of native plants, prime soils and wetlands with roads, houses, outbuildings, lawns, or excessive numbers of domestic animals. Substantial increases in daily human activity levels would be expected to disturb and displace wildlife across an extended radius that could potentially include neighboring lands. Livestock use, including adequate considerations for ground nesting game and non-game birds, is compatible with agricultural production but is not always firmly established in farm and ranch operations. This easement would intend that the fundamental elements of wildlife habitat be protected into perpetuity, regardless of possible changes in property ownership.

This topographic map depicts the ULM region in Nebraska. The Missouri River flows through the center, with ULM situated on its north bank. To the west, Taft Hill and the ULM Flats are visible. To the east, the Sun River and Antelope Butte are shown. The map features contour lines indicating elevation, with major peaks like Antelope Butte reaching 1138 feet. A red outline highlights the Dugas Farms area, located just south of ULM. Key landmarks include ULM Public Park, ULM Bridge, and several fishing access sites. The map also shows the locations of Riverdale, Nelson Island, and Castner Falls. A scale bar at the bottom indicates distances of 1.25, 2.5, and 5 miles, and a north arrow is positioned in the bottom right corner.

II. AUTHORITIES AND DIRECTION

FWP has the authority under law (MCA 87-1-201) to protect, enhance and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future. In 1987, the Montana Legislature passed House Bill (HB) 526, which earmarked hunting license revenues to secure wildlife habitat through lease, conservation easement or fee title acquisition (MCA 87-1-241 and 242). This is now referred to as the Habitat Montana Program. Habitat Montana recognizes that certain native plant communities constituting wildlife habitat are worthy of perpetual conservation. Those communities include intermountain grasslands, sagebrush grasslands and riparian corridors. Dugas Farms includes such habitats and warrants conservation considerations. Larry and Donna Dugas, owners of Dugas Farms, offered the sale of a conservation easement to FWP. This offer reflects the Landowner's desire to maintain and protect the family's agricultural and Ranching lifestyle, while maintaining and/or enhancing wildlife habitats. It is proposed that a conservation easement, to be held by FWP, be purchased from Larry and Donna Dugas for Dugas Farms. This easement would ensure the property remains in private ownership and operation, while preserving important agricultural lands, wildlife habitats, open space and historic sites. The easement would also guarantee reasonable public access for hunting and wildlife viewing on the project area. As with other FWP property interest proposals, the Montana Fish, Wildlife & Parks Commission must approve any easement acquisition proposed by the agency. In addition, the Montana Board of Land Commissioners is also required to review and approve the Department's proposal for this conservation easement acquisition as this action has a value greater than \$100,000 and is larger than 100 acres. This Environmental Assessment (EA) is part of that decision making process.

III. PROJECT LOCATION

Dugas Farms is located approximately 2 miles south of Ulm, in Cascade County (Appendix 1). The property lies within T19N, R01E. Total acreage equals 800 acres, consisting of 220 acres of native Missouri River riparian habitat and 580 acres dryland cropland. The entire property is within FWP deer/elk Hunting District (HD) 445.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTION

The primary purpose of this action is to preserve the integrity of the associated native habitats while maintaining agricultural land uses and ownership. By maintaining existing habitat acreage and quality, wildlife use by game species such as white-tailed deer, Merriam's turkey, pheasant, sharp-tailed grouse, Hungarian partridge, waterfowl and migratory birds, along with numerous species of non-game wildlife will be perpetuated. The need for this project is not established merely by habitats or wildlife use. Rather, the need is linked to threats directed towards native habitats. These threats manifest as residential subdivision, excessive livestock use, sodbusting of native range, along with associated detriments such as noxious weed encroachment and increased wildlife disturbance and removal. This threat level is evident both locally and on a statewide basis. FWP has determined that intermountain grasslands and riparian habitats have, and continue to receive, the brunt of residential subdivision development across the state. Residential, commercial and/or recreational development could result in direct replacement of native plants, prime soils and wetlands with roads, houses, outbuildings, lawns, or excessive numbers of domestic animals. Livestock use, including adequate considerations for ground nesting game and non-game birds, is compatible with agricultural production but is not always firmly established in Farm and Ranch operations.

The majority of riparian and shrub grassland habitats along the Missouri River have been converted to grain and/or domestic hay production, along with ever increasing housing development. Much of this

remaining native vegetation is heavily utilized by winter livestock grazing. The main goal of protecting Dugas Farms centers on species such as white-tailed deer, Merriam's turkey, pheasant, Hungarian partridge, waterfowl and migratory birds, along with non-game bird and small mammal species. FWP owned Dunes Fishing Access Site (FAS) is the only land that is currently permanently protected or that is likely to be protected in the foreseeable future. Adjacent to the property lies the Dunes Subdivision, which continues to expand.

The Missouri River corridor is arguably one of the most important stop-over locations for migratory waterfowl along the Rocky Mountain Front of Montana. As migrating waterfowl move north in the spring, the river and its many floodplain wetlands are essential staging areas for a wide diversity of waterfowl. Similarly, fall migrants depend on the river as resting areas as they feed in adjacent farm fields. The project area lies within the continental priority wetland areas of each of the four major bird initiatives, as shown on the USFWS Bird Habitat Standards Grants maps, and is located in the Ennis Bird Habitat Conservation Area (BHCA), identified in the IWJV's *Coordinated Implementation Plan for Bird Conservation in Western Montana*. On-going Dugas Farms conservation and enhancement effort will contribute directly to meeting the conservation objectives and priority species' needs as outlined in each of the four continental bird conservation plans. The project enhances important migration habitat for thousands of Mallards, Northern Pintails, American Widgeon, Redhead, Canvasback, Lesser Scaup, Gadwall, Goldeneye, Sandhill Crane, Trumpeter and Tundra Swan, and Canada Geese, and provides nesting habitat for some of these same species. Annual mid-winter waterfowl surveys on the Missouri River from Great Falls to Craig reveal approximately 5,000 ducks and 20,000 Canada geese in recent years.

This project addresses *U.S. Shorebird Conservation Plan* and *Intermountain Shorebird Conservation Plan* goals of "maintaining and enhancing diverse landscapes that sustain thriving shorebird populations by working to protect, restore and manage shorebird habitat". Regional NAWCA/Shorebird Plan priority species using the area include the American Golden-Plover, Long-billed Curlew, Marbled Godwit, American Avocet, Whimbrel, Sanderling, and Wilson's Phalarope. The shorebird species that occur in the project area require a landscape of grassland and wetland habitats for nesting, brood-rearing and migration habitat, with Long-billed Curlew and Wilson's Phalarope being the key breeding species in the project area.

This land protection effort will directly contribute to the goal of the *North American Waterbird Conservation Plan* and its associated *Intermountain West Waterbird Conservation Plan* to "assure the protection of important colony sites, breeding sites, habitats and Important Bird Areas (IBAs) for waterbirds". One candidate IBA under this plan is the Missouri Headwaters IBA, upstream of our project tract at the confluence of the Madison and Gallatin rivers. The Greater Sandhill Crane and Great Blue Heron are two priority waterbirds that are highly dependent on the targeted habitats on the project tract. Additionally, this project will provide improved habitat conditions for Bald Eagle, a State listed Species of Concern (NHP 2006) and a Tier I Species of Greatest Conservation Need (MFWP 2005). A documented Bald Eagle territory occurs in one of the cottonwood stands on the property, and the Missouri River in this area is currently saturated with active Bald Eagle nesting territories. Sandhill Cranes stage for fall migration on and around the Ranch.

Riparian and wetland communities support the highest concentration of plants and animals in Montana, including approximately 1/3 of Montana's wildlife (Ellis 2008). This importance is highlighted in the identification of riparian areas as a Community Type of Greatest Conservation

Need in the Comprehensive Fish & Wildlife Management Strategy (CFWCS, FWP 2005), and as a priority in the 5-year Implementation Plan for the CFWCS. The American Bird Conservancy identified at least 86 different bird species on the neighboring Bird Creek Ranch during a 2001 survey. For the past 20 years, an Avian Productivity Survivorship survey has been conducted near Ulm on the Missouri River. The University of Montana Avian Science Center also conducts point count surveys on the Missouri in the area. These surveys identified an abundance of bird species inhabiting the ranch and/or neighboring habitats including American White Pelican, American Avocet, Wilson's Phalarope, Swainson's Hawk, Willow Flycatchers, Least Flycatchers and Lazuli Bunting. Records indicate that Burbot, Mountain Whitefish, Great Plains Toad and Northern leopard frog may be found in/on the property. Bald eagle, northern leopard frog, and burbot are identified in Montana's Comprehensive Fish & Wildlife Conservation Strategy as Species in Greatest Need of Conservation (MFWP 2005).

The protection and restoration of riparian complexes in the project area will directly correspond to the recommended actions of the *North American Landbird Conservation Plan* to "protect high quality riparian habitat, manage and restore degraded stretches, and restore natural flows and flooding regimes. The project also specifically addresses several additional wetland and riparian habitat objectives in the *InterMountain West Joint Venture Coordinated Implementation Plan for Bird Conservation in Western Montana (2005)* including the protection and enhancement of priority habitats such as riparian deciduous and riparian shrublands.

This project will directly benefit 45.6 acres of wetland types, including: 8.9 acres Palustrine Emergent (PEM), 3.8 acres Palustrine Aquatic Bed (PAB), 10.8 acres Palustrine Scrub-Shrub (PSS), 21.4 acres Riverine Lower Perennial Unconsolidated Bottom (R2UB) and 0.7 acres Riverine Lower Perennial Unconsolidated Shore (R2US). In Montana, about 4% of the landscape consists of riparian and wetland communities (Montana's Comprehensive Fish & Wildlife Management Strategy, FWP 2005). Of the total wetland acreage, over 85 percent is of decreasing types. The 8.9 acres of palustrine emergent wetlands are incredibly productive for waterfowl and other wetland dependent wildlife. The 22.1 acres of riverine wetlands provide important habitat for wetland-dependent fish and wildlife, and more importantly provide the water and water table for the surrounding wetlands.

A secondary result of this project is guaranteed public hunting and wildlife viewing access. This proposed conservation easement would also ultimately require a Management Plan, including a detailed hunting and recreational access plan for Dugas Farms. Since HD 445 is mostly private land, guaranteed public hunting and wildlife viewing on the property through this conservation easement will offer opportunities in an area of the Missouri River where public access is limited.

V. DESCRIPTION OF PROPOSED ACTION

The proposed action is for FWP to purchase a conservation easement from Larry and Donna Dugas for no greater than the appraised value of the easement. This easement would include 800 deeded Dugas Farms acres. The NRCS Farm and Ranch Lands Protection Program (FRPP) has offered approximately \$480,000 towards the conservation easement, but requires a non-Federal match (FWP and partners). Other partners funding the easement include PPL Montana, Montana Fish and Wildlife Conservation Trust, and local chapters of National Wild Turkey Federation, Safari Club International, Pheasants Forever. FWP proposes to utilize its Habitat Montana Program and Upland Game Bird Program to fund the remainder of the conservation easement (pending appraisal). The Landowners may also donate a portion of the easement. Upon completion, FWP will hold and monitor the

conservation easement. This draft Environmental Assessment further explains how FWP's proposed expenditure for this conservation easement would help facilitate protection of Dugas Farm's critical conservation values. A draft Management Plan and draft Socio-Economic analysis are also included for public review at this time.

To perpetually define and ensure sound grazing practices across time and Landowners, this conservation easement requires a rest-rotation grazing system on native rangeland/riparian habitats divided into 2 pastures. For pasture number delineations and seasons of use, see attached grazing plan schematics (Appendix A and B in attached Management Plan). The primary goal of the grazing system is to allow at least ½ of the Farm to be rested for wildlife habitat every other year. Grazing typically occurs on native range / idle wheat stubble during fall months on harvested wheat stubble. Should grain fields be converted/utilized for hay production, haying will be prohibited until after July 15 to protect upland game bird nesting.

The proposed FWP conservation easement would also enhance the benefits to the public by guaranteeing access for public hunting and wildlife viewing. The easement terms specify that the Dugas Farms will provide reasonable free public access for hunting and wildlife viewing at appropriate times of the year, via a method mutually agreed upon in the draft FWP / Dugas Farms Management Plan. Whereas the easement language is intended to endure into perpetuity, the Management Plan may be amended at any time by mutual consent between the Landowner and FWP, to address changing conditions and emerging issues. Dugas Farms has agreed to allow a minimum of 800 hunter days annually on the property. Hunting will be allowed each day of the upland game bird, waterfowl and big game hunting seasons (as determined by FWP Commission). Dugas Farms hunting rules are defined in the Management Plan that may be altered upon mutual agreement between FWP and the Landowner. Annual hunter use will be documented by FWP and the Landowner. Dugas Farms proposes to allow foot travel upon the easement area during daylight hours for wildlife viewing throughout the year, with landowner permission. The Landowner may deny access to, or expel from the Land, any person for cause, including (but not exclusively) the following: intoxication or use of illegal substances; reckless behavior that jeopardizes human life, wildlife habitat, or Landowner's property, or is in violation of law or regulation applicable to public use of the Land; or misconduct under or violation of the terms of public access provided in this easement, including any plan of access adopted and implemented under this easement.

Specific terms of the easement are contained in a separate legal document, which is the "Deed of Conservation Easement". This document lists FWP and Landowner rights under terms of the easement as well as restrictions on landowner activities. The rights of both parties and restrictions on Landowner activities were negotiated with and agreed upon by FWP and the Landowner.

To summarize terms of this easement, FWP's rights include the right to: (1) identify, preserve and enhance specific habitats; (2) monitor and enforce restrictions; (3) prevent activities inconsistent with purpose of the easement; and (4) provide public access for hunting and wildlife viewing.

Landowner's retained rights include the right to: (1) graze livestock within the described rotational grazing system; (2) cultivate and farm hay land and grain fields as described; (3) continue to regulate public use of the Land at all times; (4) develop and maintain water resources, including springs, on the Land necessary for farming, grazing and wildlife purposes that are allowed by this easement; (5) repair, renovate, improve or remove existing buildings; (6) repair, renovate or improve existing roads; (7) construct, remove, repair and/or replace fences for grazing livestock and to exclude deer from

headquarter equipment area; (8) construct facilities for the development and utilization of energy resources such as wind and solar; (9) use agrichemical, biological, livestock and/or mechanical means for the noxious weeds control; (10) install utility structures as long as they are consistent with the purposes of the conservation easement and will not significantly impact the conservation values of the Land; (11) continue to reside on the Ranch in one of the existing residences and build up to one new residence within the 10 acre defined building area (located in the W1/2 of SE 1/4 of T19N, R02E Section 16, Cascade County). The significance of an impact will be evaluated by the severity, duration, geographic extent and frequency of the occurrence of the potential impact.

Restrictions placed upon Landowner activities include: (1) no removal, control or manipulation by any means of shrub and tree species browsed and utilized by wildlife (including but not limited to: snowberry, rose, hawthorn, chokecherry, buffalo berry, ash, cottonwood and willow) except in routine clearing for roads, trails, structures and fencelines; (2) no subdivision; (3) no cultivation or farming beyond what's described; (4) adherence to a described grazing plan which does include an AUM cap; (5) no outfitting or fee hunting; (6) no surface mining except that gravel and rock may be extracted for use on the property; (7) no commercial feed lots; (8) no game farms; (9) no refuse dumping; (10) no commercial or industrial use except traditional agricultural use.

VI. DESCRIPTION OF ALTERNATIVES TO THE PROPOSED ACTION

Alternative A—No Action

FWP considered the alternative of taking no action. Under the "No Action Alternative" Dugas Farms would continue to be managed as in the past but there would be no guarantee of the preservation of agricultural values, wildlife habitat, open space, historic sites, recreational values and other resources as they are found on the Farm. Specifically, without the proposed easement, these resources are vulnerable to future residential subdivision, sodbusting, improper livestock grazing, commercial feedlots and surface mining. These activities would likely result in decreased habitat quantity, quality and wildlife use. The magnitude of these and other potential impacts to this and adjacent physical and human environments are difficult to measure due to the uncertainty of future events. There is no guaranteed public access to the Farm or to adjoining public lands without this easement. Without FWP's involvement it is highly unlikely that a conservation easement would be purchased on the Farm.

Alternatives Considered but Dropped from Further Consideration

The Landowner initiated the conservation easement process with FWP and at no point expressed interest in fee title sale or a long-term lease, therefore the alternative of purchasing Dugas Farms fee title or having a long-term lease is not an option. Since conservation easements are also FWP's preferred option, the only other reasonable alternative considered in this EA is the "No Action Alternative" as described above.

VII. EVALUATION OF IMPACTS ON THE PHYSICAL ENVIRONMENT

Through prevention of certain identified activities, this conservation easement will legally maintain or improve existing habitats into perpetuity. Impacts associated with this proposed action shall be determined only as they apply to current resource ownership, uses and conditions. Under the no action alternative, resource ownership, uses and conditions may or may not change. Consequently, impacts associated with the No action alternative are unknown.

1. Land Resources

Impact of proposed action: No negative impact would occur as a result of this proposal. The terms of the proposed easement are structured to prevent adverse impacts to soils and vegetation. Subdivision and development of the Land is restricted under easement terms, as is cultivation of native plant communities (sod-busting). The proposed easement will ensure that land resources are maintained and/or enhanced into perpetuity.

No Action alternative: This alternative would allow for potential disturbance of soils and vegetation from intense agricultural practices and possible residential development.

2. Air Resources

Impact of proposed action: The proposed action would likely result in a net reduction in potential future risks to air and water quality on the subject Land, compared to no action. Possibilities for residential, commercial, and industrial developments would be restricted across the subject Land through this easement.

No action alternative: There would be no immediate impact. However, if the Land were to be subdivided, increased human activity could potentially degrade the current air quality.

3. Water Resources

Impact of proposed action: There would be no impact into perpetuity over what is currently associated with a working livestock and farming operation. Current agricultural practices on the property have proven to be generally compatible with maintenance of water quality.

No action alternative: There would be no immediate impact. However, there would be no assurances that over time that the property wouldn't change from primarily an agricultural operation to another use, with no conservation protection of water resources.

4. Vegetation Resources

Impact of proposed action: This action would result in a positive impact. The terms of the easement protect the quantity, quality and character of the native plant communities found on the property. The prescribed rest rotation grazing system (see Draft Management Plan) will allow and foster native vegetation establishment, recovery and maintenance on all sites within the grazing system.

No action alternative: There would be no immediate impact. If the Land's primary use were to change from agriculture to subdivision or some other use there would be no conservation measures in place to maintain productivity of the Land. In addition, there would be no long-term protection of existing native plant communities. Livestock grazing, sodbusting and potential subdivision would be unrestricted across all subject lands under this alternative.

5. Fish/Wildlife Resources

Threatened and Endangered Species

Impact of the Proposed Action: There are no federally listed species within the proposed project area, however, there are many species that are currently under consideration for listing or that have been petitioned for listing in the past.

The Missouri River corridor is arguably one of the most important stop-over locations for migratory waterfowl along the Rocky Mountain Front of Montana. As migrating waterfowl move north in the spring, the river and its many floodplain wetlands are essential staging areas for a wide diversity of waterfowl. Similarly, fall migrants depend on the river as resting areas as they feed in adjacent farm fields. The project area lies within the continental priority wetland areas of each of the four major bird initiatives, as shown on the USFWS Bird Habitat Standards Grants maps, and is located in the Ennis Bird Habitat Conservation Area (BHCA), identified in the IWJV's *Coordinated Implementation Plan for Bird Conservation in Western Montana*. The on-going Riverdale Ranch conservation and enhancement effort will contribute directly to meeting the conservation objectives and priority species' needs as outlined in each of the four continental bird conservation plans. The project enhances important migration habitat for thousands of Mallards, Northern Pintails, American Widgeon, Redhead, Canvasback, Lesser Scaup, Gadwall, Goldeneye, Sandhill Crane, Trumpeter and Tundra Swan, and Canada Geese, and provides nesting habitat for some of these same species. Annual mid-winter waterfowl surveys on the Missouri River from Great Falls to Craig reveal approximately 5,000 ducks and 20,000 Canada geese in recent years.

This project addresses *U.S. Shorebird Conservation Plan* and *Intermountain Shorebird Conservation Plan* goals of "maintaining and enhancing diverse landscapes that sustain thriving shorebird populations by working to protect, restore and manage shorebird habitat". Regional NAWCA/Shorebird Plan priority species using the area include the American Golden-Plover, Long-billed Curlew, Marbled Godwit, American Avocet, Whimbrel, Sanderling, and Wilson's Phalarope. The shorebird species that occur in the project area require a landscape of grassland and wetland habitats for nesting, brood-rearing and migration habitat, with Long-billed Curlew and Wilson's Phalarope being the key breeding species in the project area.

This land protection effort will directly contribute to the goal of the *North American Waterbird Conservation Plan* and its associated *Intermountain West Waterbird Conservation Plan* to "assure the protection of important colony sites, breeding sites, habitats and Important Bird Areas (IBAs) for waterbirds". One candidate IBA under this plan is the Missouri Headwaters IBA, upstream of our project tract at the confluence of the Madison and Gallatin rivers. The Greater Sandhill Crane and Great Blue Heron are two priority waterbirds that are highly dependent on the targeted habitats on the project tract. Additionally, this project will provide improved habitat conditions for Bald Eagle, a State listed Species of Concern (NHP 2006) and a Tier I Species of Greatest Conservation Need (MFWP 2005). A documented Bald Eagle territory occurs in one of the cottonwood stands on the property, and the Missouri River in this area is currently saturated with active Bald Eagle nesting territories. Sandhill Cranes stage for fall migration on and around the Ranch.

Riparian and wetland communities support the highest concentration of plants and animals in Montana, including approximately 1/3 of Montana's wildlife (Ellis 2008). This importance is highlighted in the identification of riparian areas as a Community Type of Greatest Conservation

Need in the Comprehensive Fish & Wildlife Management Strategy (CFWCS, FWP 2005), and as a priority in the 5-year Implementation Plan for the CFWCS. The American Bird Conservancy identified at least 86 different bird species on the neighboring Bird Creek Ranch during a 2001 survey. For the past 20 years, an Avian Productivity Survivorship survey has been conducted near Ulm on the Missouri River. The University of Montana Avian Science Center also conducts point count surveys on the Missouri in the area. These surveys identified an abundance of bird species inhabiting the ranch and/or neighboring habitats including American White Pelican, American Avocet, Wilson's Phalarope, Swainson's Hawk, Willow Flycatchers, and Least Flycatchers, and Lazuli Bunting. Records indicate that Burbot, Mountain Whitefish, Great Plains Toad and Northern leopard frog may be found in/on the ranch. Bald eagle, northern leopard frog, and burbot are identified in Montana's Comprehensive Fish & Wildlife Conservation Strategy as Species in Greatest Need of Conservation (MFWP 2005).

This project targets several Tier I species in Montana's Comprehensive Fish and Wildlife Conservation Strategy, and falls within the Montana Glaciated Plains Terrestrial Focus Area and the Middle Missouri River & Tributaries Aquatic Focus Area (MFWP 2005). Similarly, the habitats found within the project area are also identified as Communities of Greatest Conservation Need: Riparian and Wetland, Grassland, and Mixed Broadleaf Forests. Species such as Long-Billed Curlews, Trumpeter Swans, Bald Eagles and Great Plains Toads will benefit from the perpetual conservation easement. Montana's Comprehensive Strategy lists conversion of grasslands to agriculture, loss of natural wetlands, and degraded riparian vegetation as primary concerns, and encourages habitat restoration and protection, including conservation easements, while sustaining Ranch profitability as key tools to address these concerns. As such, this project fits perfectly with the priorities and recommendations of the Strategy.

Native fish, which have been documented in the Missouri River include Mountain Whitefish, Long-Nose Dace, White Sucker and Long-nose Sucker, all of which will benefit from the long term conservation project to protect habitat, decreased sedimentation, decreased temperatures and improved stream flows (FWP unpublished data 2006).

No-action alternative: This alternative would allow for potential disturbance of soils and vegetation from intense agricultural practices and possible residential development.

Wildlife (General)

Impact of the proposed action: The proposed action would protect into perpetuity an important and strategically located native riparian and wetland habitat complex for game and non-game species alike. While the main goal of the easement centers on preserving and protecting critical riparian habitat, game and nongame species alike will benefit into perpetuity. The property provides year round habitat not only for game species, but for a variety of non-game bird and small mammal species.

No-action alternative: There would be no immediate impact. However, this alternative would preserve the possibility of future habitat loss and the adverse impacts to wildlife populations described in the Project Need segment of this document.

6. Adjacent Land

Impact of proposed action: No negative impact is expected. The property will be maintained as has historically occurred. Continued public hunting access may relieve some hunting pressure on adjacent landowners. The rest-rotation grazing system will directly benefit the property through dedicated yearlong rest periods within the system will directly benefit the quality and quantity of vegetation on these lands (see draft Management Plan grazing system).

No action alternative: There would be no immediate impact. However, this alternative would preserve the possibility of future subdivision and habitat loss potentially causing impacts to neighboring lands as wildlife populations are displaced.

VII. EVALUATION OF IMPACTS ON THE HUMAN ENVIRONMENT

Through prevention of certain identified activities, this conservation easement would legally maintain and/or improve existing habitats into perpetuity. Impacts associated with this proposed action shall be determined only as they apply to current resource ownership, uses and conditions. Under the No action alternative, resource ownership, uses and conditions may or may not change. Consequently, impacts associated with the No action alternative are unknown.

1. Noise/Electrical Effects

Impact of proposed action: No impact would occur over existing conditions. Preservation of open space into perpetuity will ensure noise and electrical effects remain as in existing conditions of the Farm.

No action alternative: Noise and electrical impacts could negatively impact the area through potential future housing and road developments. Utilities would be required to develop the area, negatively impacting the project area and neighboring lands compared to the proposed action alternative.

2. Land Use

Impact of proposed action: The property would continue to operate as a working Farm. There would be no impact on the productivity or profitability of the Farm, nor be conflicts with existing land uses in the area. The maintenance of a rest-rotation grazing program influences the method of use but does not impact the type of land use.

No action alternative: No immediate impact would occur. However, with potential future changes in land ownership and land use, habitat quality, wildlife use and recreational opportunities could be diminished.

3. Risk/Health Hazards

Impact of proposed action: The property would receive increased visitation by the general public for hunting and wildlife viewing which is defined in the Management Plan. Current Landowners already allow access for these activities. The Management Plan reduces risk through a Weapon Restriction of muzzleloader, traditional handgun, shotgun, archery and crossbow only. No high power rifles.

No action alternative: No impact would occur.

4. Neighboring Landowners and Local Community Impacts

Impact of the Proposed Action: The proposed action would generally maintain existing conditions in the local community. There would be no anticipated negative impacts to the community. The scenic values and open character of this property would be maintained and enjoyed by the community into perpetuity. Refer to the attached Socio-Economic Assessment for additional analysis of impacts on the human environment.

No action alternative: Future residential development if unchecked would change the nature of the existing community to a varying degree. This alternative would allow the possibility for substantial changes in future land uses of Dugas Farms, which may affect neighboring property values to varying degrees. Neighboring Landowners might be concerned about a change in ownership and possible changes in land use under the No action alternative, as these could affect the amount of effort and expense a Rancher must devote to maintaining fences and protecting his or her adjacent property.

5. Public Services/Taxes/Utilities

Impact of proposed action: There would be no effect on local or state tax bases or revenues, no alterations of existing utility systems, nor tax bases of revenues, nor increased uses of energy sources. As agricultural property, the Land would continue to be taxed as it has before. Refer to the attached Socio-Economic Assessment for additional analysis of impacts on the human environment.

No action alternative: With possible residential subdivision, police and fire protection, road improvements, utilities and services would be demanded.

Economies

Impact of the Proposed Action: The proposed action would restrict future residential and commercial developments on the subject Land, which would allow wildlife to continue to flourish. The scenic view-shed would be preserved by the proposed action, which may translate into a minor, long-term economic benefit to land values of surrounding properties. Refer to attached Socio Economic Assessment.

No Action Alternative: Over the long run, the No action alternative would allow greater potential for residential and commercial growth in the local community. Therefore, future development under this alternative on the subject Land and possibly neighboring lands would be accompanied by relatively high costs for roads, utilities and other services which would be required partially or wholly by state and local governments.

6. Aesthetics/Recreation

Impact of proposed action: There would be a positive impact. The easement would maintain in perpetuity the quality and quantity of recreational opportunities and scenic vistas, and would not affect the character of the neighborhood. The proposed action would increase public access for hunting and wildlife viewing on the property.

No action alternative: Eventual subdivision and development would reduce the aesthetic and recreational opportunities on the project area. If residential development occurs on the property in the future, which would be possible under the No action alternative, hunting and wildlife viewing opportunities would almost certainly be removed.

7. Cultural/Historic Resources

Impact of proposed action: There would be a positive impact. The existing historic sites on the Ranch would be conserved through terms of the conservation easement.

No action alternative: Potential residential and/or commercial developments allowable under this alternative would leave cultural and historical resources at risk.

8. Cumulative Impacts

Impact of the proposed action: The proposed action would not be expected to contribute to a cumulative impact in a measurable way.

No Action Alternative: The No action alternative could ultimately contribute to the cumulative regional and local losses of wildlife habitat in general, and natural wetland and riparian complexes in particular, if the subject Land is managed in a manner incompatible with wildlife requirements. No action could ultimately contribute slightly to the cumulative regional and local loss of grazing land for the livestock industry.

9. Socio-Economic Assessment

Refer to the attached Draft Socio-Economic Assessment for additional analysis of impacts on the human environment.

IX. SUMMARY EVALUATION OF SIGNIFICANCE

The proposed action has no significant effects on current conditions. It cannot be definitively determined what, if any, effects may result from the No action alternative.

X. EVALUATION OF NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

Based on the above assessment, an Environmental Impact Statement is not required and an Environmental Assessment is the appropriate level of review.

XI. PUBLIC INVOLVEMENT

Formal public participation specific to FWP's proposed purchase of this conservation easement will begin with the availability of this draft Environmental Assessment (EA) for public review for a one month comment period. The availability of this EA for public review will be advertised in the Great Falls and Cascade areas, and through statewide media via FWP's website at www.fwp.mt.gov. A copy of the draft EA will be mailed to all parties who indicate an interest in this proposal. The public review and comment period will be August 10 through September 10, 2010. A public hearing will be held at the Ulm School, August 25th at 7:00 P.M. After reviewing public input received on or before September 10, FWP will decide upon a preferred alternative. The Fish, Wildlife & Parks Commission and State Board of Land Commissioners will be asked to render final decisions on this proposal at their regularly scheduled meetings in October 2010.

Comments should be addressed to:
Montana Fish, Wildlife & Parks
4600 Giant Springs Road
Great Falls, MT 59405
Attn: Dugas Farms Conservation Easement Proposal

Or

fwprg42@mt.gov
Attn: Dugas Farms Conservation Easement Proposal

Comments must be postmarked no later than September 10, 2010 to ensure consideration in the decision-making process.

XII. NAME OF PERSON RESPONSIBLE FOR PREPARING EA

Cory Loecker
Wildlife Biologist
Montana Fish, Wildlife & Parks
4600 Giant Springs Road
Great Falls, MT 59405
(406) 454-5840
cloecker@mt.gov

Literature Cited.

Coordinated Implementation Plan for Bird Conservation in Western Montana. 2005. Montana Steering Committee; Intermountain West Joint Venture. www.iwjv.org. 58 pgs.

Scientific Recommendations on the Size of Stream Vegetated Buffers Needed to Protect Wildlife and Wildlife Habitat: Part III The Need for Stream Vegetated Buffers. What does the Science Say? 2008. Janet Ellis, Montana Audubon, Helena. 24 pgs.

Montana Animal Species of Concern. 2006. Montana Natural Heritage Program and Montana Fish, Wildlife & Parks, Helena, MT. 17 pgs.

Montana's Comprehensive Fish and Wildlife Conservation Strategy. 2005. Montana Fish, Wildlife & Parks, 1420 East Sixth Ave, Helena, MT 59620. 658 pgs.

FWP / DUGAS FARMS CONSERVATION EASEMENT

Montana Fish, Wildlife & Parks Wildlife Division Draft Management Plan

I. Introduction

The purpose of the FWP / Dugas Farms conservation easement is to preserve and protect the conservation values of the Land, particularly the habitat the land provides for its wildlife species, and its agricultural and historic resources into perpetuity. Dugas Farms includes 800 acres along the Missouri River between Ulm and Cascade. Five miles of Missouri River frontage is utilized as Dugas Farms property boundary.

Approximately 220 acres of the property is native riparian habitat including mature cottonwood, dogwood and green ash stands, having a native shrub grassland understory comprised of snowberry, willow, chokecherry, currant and buffalo berry. Dugas Farms possesses riparian, emergent and forested wetlands, shrub and native riparian communities important to many wildlife species, including white-tailed deer, pheasant, Hungarian partridge, sharp-tailed grouse, Merriam's turkeys, numerous waterfowl, furbearer and non-game wildlife species. Species including burbot, northern leopard frog, trumpeter swan, bald eagle, Townsend's big-eared bat inhabit the ranch and/or neighboring habitats. These species are identified in Montana's Comprehensive Fish & Wildlife Conservation Strategy as species in greatest need of conservation. The property is currently managed as a working ranch mostly for grain production, while maintaining and/or enhancing wildlife habitats throughout.

FWP proposes to purchase, hold and monitor a conservation easement from Dugas Farms. Should sufficient funding be available, the easement will be purchased utilizing a variety of partners, including:

- \$480,000 - NRCS Farm and Ranch Lands Protection Program (FRPP), requires 50% non-Federal match.
- \$50,000 - PPL Montana, LLC (\$25,000 Wildlife TAC / \$25,000 Fisheries TAC)
- \$10,000 - Great Falls Chapter Safari Club International
- \$10,000 - Upper Missouri River Chapter Pheasants Forever
- \$7,500 - National Wild Turkey Federation
- \$50,000 - Montana Fish and Wildlife Conservation Trust
- \$100,000 - FWP Upland Game Bird Habitat Enhancement Program
- \$xxxxxx - Landowner Donation
- \$ Remainder - FWP Habitat Montana Program

II. Goals, Objectives, Concerns and Strategies

Goal 1: *By implementation of FWP easement terms, the quality and amounts of native habitats, important agricultural habitats and wildlife potential currently found on the Dugas Farms property shall be maintained without displacing private land use. Under the same Easement terms, a secondary goal is to provide guaranteed public hunting access and opportunity. This shall be accomplished with minimal impact to this and adjacent physical and human environments. A third goal is to apply a rest-rotation grazing system on the ranch to maintain and/or enhance existing vegetative communities. This shall be accomplished by implementation of a grazing management plan.*

Objective 1: *Manage native grassland, shrubland, wetland vegetation, riparian vegetation and agricultural habitats to maintain and improve these plant communities for the benefit of livestock and wildlife alike.*

While this property is capable of sustaining livestock use under sound management practices, unregulated or excessive grazing has the potential to reduce habitat quality for both wildlife and agricultural practices. Reduced habitat quality often results in wildlife population reductions and/or displacement. To perpetually define and ensure sound grazing practices across time and Landowners, this FWP easement requires a rest rotation grazing system on deeded property. For pasture numbers and delineations and seasons of use, see attached grazing plan schematics (Exhibits A and B). Grazing plan adherence will be monitored by FWP to assess effectiveness and Landowner compliance. Livestock use and distribution will be assessed annually and will be reviewed every 5 years for functionality. FWP, in conjunction with the Landowners, may recommend fence and water improvements, if deemed necessary. The primary goal of the grazing system is to allow complete rest from grazing every other year. Grazing typically occurs during summer months in Pasture 1 and during fall months on Pasture 2. This management plan allows a maximum of 10 AUM's in Pasture 1 and 50 AUM's in Pasture 2 during allowed grazing periods. Should grain fields be converted/utilized for hay production, haying will be prohibited until after July 15 to protect upland game bird nesting.

The NRCS Farm and Ranch Lands Protection Program (FRPP) has offered \$480,000 towards the purchase of the conservation easement. FRPP prevents the conversion of prime agriculture land to non-agricultural uses, such as subdivision, and maintains these working farmlands into perpetuity, but requires a 50% non-Federal match (FWP). To qualify the farm or ranch must: be privately owned land; contain at least 50 percent of prime, unique, statewide, or locally important soils or contain historic or archeological sites that are: Consensus determined by the State Historic Preservation Office (SHPO), or the Tribal Historic Preservation Office (THPO), or formally nominated to the national register; and be part of a pending offer from a state, tribal, or local government, or a non-governmental organization (NGO) agricultural land protection program. The land also must: have a conservation plan on Highly Erodible Land (HEL) acres; contain sufficient acres to sustain agriculture production; include eligible lands such as cropland, rangeland, grassland, pastureland and forest land that are part of the agriculture operation; involve land owners who do not exceed the Adjusted Gross Income (AGI) provisions. This FWP easement further restricts the landowner's rights in the "FRPP Area". This management plan will not, and does not, modify the restoration and management plan that NRCS has prepared for the "FRPP Area". However, there may be opportunities for NRCS and FWP to coordinate management of the "FRPP Area", such that it meets the objectives of NRCS, FWP and Dugas Farms.

Many shrub and tree species are important to wildlife. The removal, control or manipulation of shrub and tree species important to wildlife by any means is prohibited within the terms of the easement document, including but not limited to burning, plowing, chemical treatment or removal of such tree and shrub species. These species include without limitation: aspen, rose, hawthorn, snowberry, chokecherry, skunkbush sumac, willow, cottonwood, green ash and dogwood. These prohibitions do not apply to the routine clearing or control of brush in connection with the construction and maintenance of trails, roads, fences and structures permitted under this easement.

As per conservation easement terms, the Landowner has the right to "construct, remove, maintain, repair, or replace fences, corrals, and other livestock handling structures" provided the structures do not significantly impact wildlife habitat or wildlife migration on and through the Land. Land maintenance, including but not limited to fence and water development construction and repair, noxious weed control and necessary road construction and repair, shall be the responsibility of the Landowner.

The on-going protection and restoration of riparian complexes in the project area will directly correspond to the recommended actions of the *North American Landbird Conservation Plan* to “protect high quality riparian habitat, manage and restore degraded stretches, and restore natural flows and flooding regimes. The project also specifically addresses several additional wetland and riparian habitat objectives in the *InterMountain West Joint Venture Coordinated Implementation Plan for Bird Conservation in Western Montana (2005)* including the protection and enhancement of priority habitats such as riparian deciduous and riparian shrublands.

This project will directly benefit 45.6 acres of wetland types, including: 8.9 acres Palustrine Emergent (PEM), 3.8 acres Palustrine Aquatic Bed (PAB), 10.8 acres Palustrine Scrub-Shrub (PSS), 21.4 acres Riverine Lower Perennial Unconsolidated Bottom (R2UB) and 0.7 acres Riverine Lower Perennial Unconsolidated Shore (R2US). In Montana, about 4% of the landscape consists of riparian and wetland communities (Montana’s Comprehensive Fish & Wildlife Management Strategy, FWP 2005). Of the total wetland acreage, over 85 percent is of decreasing types. The 8.9 acres of Palustrine Emergent wetlands are incredibly productive for waterfowl and other wetland dependent wildlife. The 22.1 acres of Riverine wetlands provide important habitat for wetland-dependent fish and wildlife, and more importantly provide the water and water table for the surrounding wetlands.

There may be habitat enhancement opportunities on the property, which are not addressed in the FWP easement. FWP will review the Farm’s potential for habitat enhancements and provide technical assistance if there is interest by the Landowner to enhance wildlife habitats. Current landowners are interested in improving wildlife habitat on the Farm. Such conservation practices include possibly retiring some farmed acres and converting them to dense nesting cover and/or native shrub plantings. If the Landowner desires, FWP may provide technical assistance for seeding farm ground with a vegetative mix that is beneficial to wildlife such as dense nesting cover. This may be, but is not limited to, participation in a Federal wildlife habitat program, such as the Conservation Reserve Program (CRP), WHIP, EQIP, etc., or a State habitat program such as a FWP Upland Game Bird Habitat Enhancement Project (UGBHEP). Should any wildlife habitat enhancements be implemented such as shelterbelts, riparian tree/shrub expansion and/or dense nesting cover, cattle will not be allowed to graze these areas. Farming activity will be permitted on existing or historic farm/cultivated ground only. Additional sod busting or tilling of previously undisturbed native vegetation, including native riparian vegetation, is not permitted under this easement.

Objective 2: Maintain wildlife use of the property.

While the main goal of the easement centers on preserving and protecting critical riparian habitat, game and nongame species alike will benefit into perpetuity. The Ranch provides year round habitat not only for game species, but for a variety of non-game bird and small mammal species. Existing wildlife population data for other species is limited to waterfowl, songbirds, pheasants, sand hill cranes and bald eagles. Currently, no white-tailed deer surveys occur on the Missouri River in this area, although it is estimated that 100 whitetails inhabit the ranch. A pheasant crow count survey is conducted in the nearby Smith River area, finding an average of 15-20 crows/stop the past few years. FWP owned Dunes Fishing Access Site (FAS) is the only Land that is currently permanently protected or that is likely to be protected in the foreseeable future. Adjacent to the property lays the Dunes Subdivision, which continues to expand.

The Missouri River corridor is arguably one of the most important stop-over locations for migratory waterfowl along the Rocky Mountain Front of Montana. As migrating waterfowl move north in the spring, the river and its many floodplain wetlands are essential staging areas for a wide diversity of waterfowl. Similarly, fall migrants depend on the river as resting areas as they feed in adjacent farm fields. The project area lies within the continental priority wetland areas of each of the four major bird

initiatives, as shown on the USFWS Bird Habitat Standards Grants maps, and is located in the Ennis Bird Habitat Conservation Area (BHCA), identified in the IWJV's *Coordinated Implementation Plan for Bird Conservation in Western Montana*. This conservation and enhancement effort will contribute directly to meeting the conservation objectives and priority species' needs as outlined in each of the four continental bird conservation plans. The project enhances important migration habitat for thousands of Mallards, Northern Pintails, American Widgeon, Redhead, Canvasback, Lesser Scaup, Gadwall, Goldeneye, Sandhill Crane, Trumpeter and Tundra Swan, and Canada Geese, and provides nesting habitat for some of these same species. Annual mid-winter waterfowl surveys on the Missouri River from Great Falls to Craig reveal approximately 5,000 ducks and 20,000 Canada geese in recent years.

This project addresses *U.S. Shorebird Conservation Plan* and *Intermountain Shorebird Conservation Plan* goals of "maintaining and enhancing diverse landscapes that sustain thriving shorebird populations by working to protect, restore and manage shorebird habitat". Regional NAWCA/Shorebird Plan priority species using the area include the American Golden-Plover, Long-billed Curlew, Marbled Godwit, American Avocet, Whimbrel, Sanderling, and Wilson's Phalarope. The shorebird species that occur in the project area require a landscape of grassland and wetland habitats for nesting, brood-rearing and migration habitat, with Long-billed Curlew and Wilson's Phalarope being the key breeding species in the project area.

This land protection effort will directly contribute to the goal of the *North American Waterbird Conservation Plan* and its associated *Intermountain West Waterbird Conservation Plan* to "assure the protection of important colony sites, breeding sites, habitats and Important Bird Areas (IBAs) for waterbirds". One candidate IBA under this plan is the Missouri Headwaters IBA, upstream of our project tract at the confluence of the Madison and Gallatin rivers. The Greater Sandhill Crane and Great Blue Heron are two priority waterbirds that are highly dependent on the targeted habitats on the project tract. Additionally, this project will provide improved habitat conditions for Bald Eagle, a State listed Species of Concern (NHP 2006) and a Tier I Species of Greatest Conservation Need (MFWP 2005). A documented Bald Eagle territory occurs in one of the cottonwood stands on the property, and the Missouri River in this area is currently saturated with active Bald Eagle nesting territories. Sandhill Cranes stage for fall migration on and around the property.

Riparian and wetland communities support the highest concentration of plants and animals in Montana, including approximately 1/3 of Montana's wildlife (Ellis 2008). This importance is highlighted in the identification of riparian areas as a Community Type of Greatest Conservation Need in the Comprehensive Fish & Wildlife Management Strategy (CFWCS, FWP 2005), and as a priority in the 5-year Implementation Plan for the CFWCS. The American Bird Conservancy identified at least 86 different bird species on the neighboring Bird Creek Ranch during a 2001 survey. For the past 20 years, an Avian Productivity Survivorship survey has been conducted near Ulm on the Missouri River. The University of Montana Avian Science Center also conducts point count surveys on the Missouri in the area. These surveys identified an abundance of bird species inhabiting the ranch and/or neighboring habitats including American White Pelican, American Avocet, Wilson's Phalarope, Swainson's Hawk, Willow Flycatchers, and Least Flycatchers, and Lazuli Bunting. Records indicate that Burbot, Mountain Whitefish, Great Plains Toad and Northern leopard frog may be found in/on the ranch. Bald eagle, northern leopard frog, and burbot are identified in Montana's Comprehensive Fish & Wildlife Conservation Strategy as Species in Greatest Need of Conservation (MFWP 2005).

This project targets several Tier I species in Montana's Comprehensive Fish and Wildlife Conservation Strategy, and falls within the Montana Glaciated Plains Terrestrial Focus Area and the Middle Missouri River & Tributaries Aquatic Focus Area (MFWP 2005). Similarly, the habitats found within the project area are also identified as Communities of Greatest Conservation Need: Riparian and Wetland, Grassland, and Mixed Broadleaf Forests. Species such as Long-Billed Curlews, Trumpeter Swans, Bald

Eagles and Western Toads will benefit from the perpetual conservation easement. Montana's Comprehensive Strategy lists conversion of grasslands to agriculture, loss of natural wetlands, and degraded riparian vegetation as primary concerns, and encourages habitat restoration and protection, including conservation easements, while sustaining ranch profitability as key tools to address these concerns. As such, this project fits perfectly with the priorities and recommendations of the Strategy.

Native fish, which have been documented in Missouri River include Mountain Whitefish, Long-Nose Dace, White Sucker and Long-nose Sucker, all of which will benefit from the long term conservation project to protect habitat, decreased sedimentation, decreased temperatures and improved stream flows (FWP unpublished data 2006).

The landowner's commitment and participation in this effort shows remarkable dedication to the preservation and conservation of the Missouri River watershed. From a funding perspective, the diverse state, federal and private partnerships will bring about 1 million dollars to the project for permanent protection through this conservation easement. Partnerships on this project provide the leverage FWP needs to construct an excellent perpetual habitat project on the Missouri River in an area of ever increasing development.

On Dugas Farms and adjacent properties, game damage problems will be managed through hunting whenever possible during general hunting season frameworks. Game damage hunts may be options should wildlife damage occur outside general hunting season dates. Game damage materials will be provided on an as needed basis to the ranch and adjacent landowners who allow reasonable free public hunting.

Objective 3: Provide guaranteed public hunting access and opportunity.

As per easement terms, the Landowner may not charge fees, lease or commercially outfit for public access, fishing, hunting or trespass on deeded land or to adjoining public lands. Terms of the easement require the Landowner must allow reasonable free public access for hunting and wildlife viewing. This Management Plan further defines that public access.

To provide a mechanism for the general public to place a reservation to hunt Dugas Farms conservation easement, FWP shall offer the Landowner, but not limit him/her to apply for FWP's Block Management Program. If the Landowner would like to apply for the Block Management Program, he/she would have to submit an application to FWP. The block management coordinator, area biologist and warden annually rank new applicants by factors such as: available funding, habitat components, public access and hunter opportunities. Other options may include a telephone reservation system, sign-in box, and map/sign production. Should the Landowner decide not to participate in Block Management, the Landowner must develop an equally effective system for handling hunter requests within easement terms.

At this time the Landowner has chosen to allow walk-in access originating from an identified parking area accessible from Whitetail Lane off of the Ulm Cascade Frontage Road (Exhibit E). Hunters with proper permission may access the property via Dunes FAS or by boat from the Missouri River. Funding for development of this parking area (approximately \$1,500) will be the responsibility of FWP. Dugas Farms will also allow foot travel upon the easement area during daylight hours for wildlife viewing throughout the year, with landowner permission. Dugas Farms has agreed to allow a minimum of 800 hunter days annually on the property. Hunting will be allowed each day of the upland game bird, waterfowl and big game hunting seasons (dates as established by the FWP Commission). A Weapon Restriction of muzzleloader, traditional handgun, shotgun, archery, and crossbow only is on the property. No high power rifles. Dugas Farms hunting rules defined in this Management Plan that may be altered upon mutual agreement between FWP and the landowner. Annual hunter use will be documented by the

Landowner and FWP. The Landowner may deny access to, or expel from the Land, any person for cause, including (but not exclusively) the following: intoxication or use of illegal substances; reckless behavior that jeopardizes human life, wildlife habitat, or Landowner's property, or is in violation of law or regulation applicable to public use of the Land; or misconduct under or violation of the terms of public access provided in this easement, including any plan of access adopted and implemented under this easement.

III. Overall FWP / Dugas Farms Conservation Easement Compliance

In order to document existing wildlife habitat, vegetative communities and distribution will be photographed and mapped for the FWP "Easement Baseline Inventory Report". This is necessary so that vegetation changes can be monitored over time. Annual monitoring will be conducted to determine compliance with the FWP easement terms on the entire property. This assessment shall be conducted by FWP with the Landowner, to assess Management Plan effectiveness and to review Landowner compliance with easement terms. FWP will annually visit the property to monitor compliance with easement terms and Management Plan. The Landowner is encouraged to thoroughly familiarize themselves with easement terms, Management Plan and grazing system, and refer to the Deed of Conservation Easement and Management Plan documents or contact FWP with any questions or concerns in order to avoid non-compliance.

Literature Cited.

Coordinated Implementation Plan for Bird Conservation in Western Montana. 2005. Montana Steering Committee; Intermountain West Joint Venture. www.iwjv.org. 58 pgs.

Scientific Recommendations on the Size of Stream Vegetated Buffers Needed to Protect Wildlife and Wildlife Habitat: Part III The Need for Stream Vegetated Buffers. What does the Science Say? 2008. Janet Ellis, Montana Audubon, Helena. 24 pgs.

Montana Animal Species of Concern. 2006. Montana Natural Heritage Program and Montana Fish, Wildlife & Parks, Helena, MT. 17 pgs.

Montana's Comprehensive Fish and Wildlife Conservation Strategy. 2005. Montana Fish, Wildlife & Parks, 1420 East Sixth Ave, Helena, MT 59620. 658 pgs.

Management Plan Attachments

*Dugas Farms Grazing System Formula (Exhibit A)

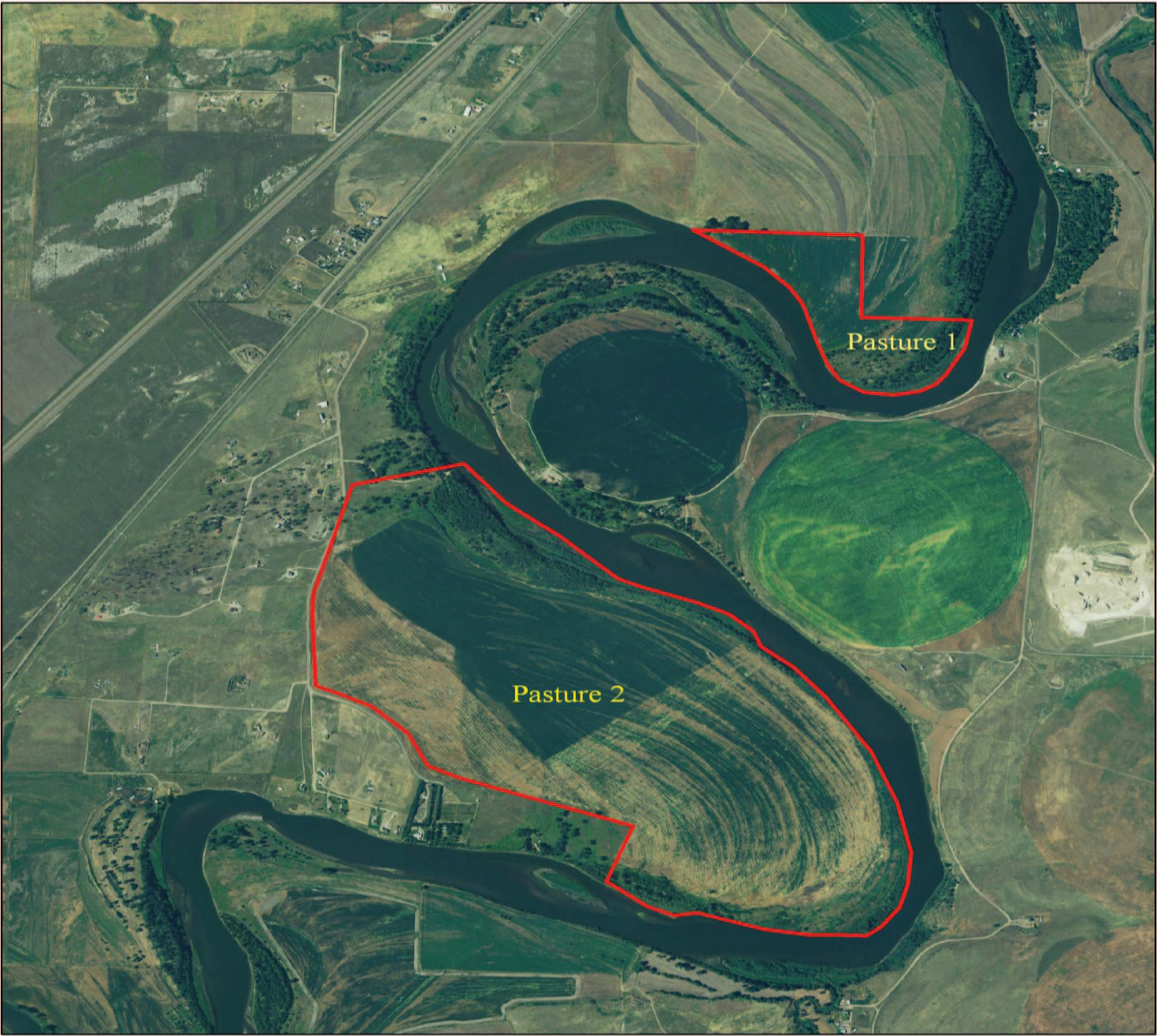
*Dugas Farms Grazing System Formula Map (Exhibit B)

*Dugas Farms Conservation Easement Hunting Rules (Exhibit C)

*Dugas Farms Hunting Access Map (Exhibit D)

| Exhibit A. Dugas Farms Grazing Formula (800 acres)* | | | |
|---|--------------------------------|-------------------------------|--------------------------------|
| REMARKS | 2011 | 2012 | 2013 |
| Pasture Rotation | | | |
| Pasture 1 (80 acres) | Graze 7/1 – 9/1, Max 10 AUM's | Rest all year | Graze 7/1 – 9/1, Max 10 AUM's |
| Pasture 2 (720acres) | Graze 9/1 – 12/1, Max 50 AUM's | Rest all year | Graze 9/1 – 12/1, Max 50 AUM's |
| | | | |
| | | | |
| | | | |
| Farm Ground | | | |
| Grain/Hay Fields (580 acres) | Farm at landowners discretion | Farm at landowners discretion | Farm at landowners discretion |
| | | | |
| Misc. Acres | | | |
| Riparian Buffer (220 acres) | See Pastures 1 and 2 | See Pastures 1 and 2 | See Pastures 1 and 2 |
| | | | |
| <i>Total acres: 800 acres</i> | | | |
| * Refer to map for pasture locations. | | | |
| ** In year four (2014), the rotation is repeated. | | | |
| | | | |

Exhibit B. Dugas Farms Grazing Formula Map.



0 0.25 0.5 1 Miles

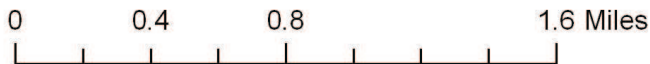


Exhibit C. Dugas Farms Conservation Easement Hunting Area Rules

- 1) Dugas Farms is open to public hunting each day of the upland game bird, big game and waterfowl hunting seasons (dates as set by FWP Commission). The property is located within FWP Deer/Elk Hunting District 445 and Antelope Hunting District 440.
- 2) A hunting reservation must be made with Answering Service at (406) xxx-xxx at least 2 days prior to the day(s) that you are interested in hunting. All hunters must have an area map and rules in his/her possession at all times.
- 3) Hunting parties (a party is defined as **1 to 3** hunters) may reserve only **2** days per week to hunt. A total of 2 hunting parties will be allowed per day.
- 4) After reservation is made, all hunting is by park-and-walk only from county road parking area (see map), Dunes FAS, or via boat from the Missouri River. Come prepared to retrieve harvested game (i.e. drag rope, game cart, backpack, etc).
- 5) Property is a Weapon Restriction Area of muzzleloader, traditional handgun, shotgun, archery, and crossbow only. No high power rifles.
- 6) No camping or open fires are permitted on the property.
- 7) No hunting in areas where cattle are present.
- 8) Wildlife viewing via foot travel only is available throughout the year with Landowner permission.

Report violations to 1-800-TIP-MONT

Exhibit D. Dugas Farms Hunting Access Map



Management Plan Approved By:

Larry Dugas, Dugas Farms

Date

Graham Taylor, FWP Region 4 Wildlife Manager

Date

Gary Bertellotti, FWP Region 4 Supervisor

Date

Ken McDonald, FWP Wildlife Division Administrator

Date

**DUGAS FARMS
CONSERVATION EASEMENT
DRAFT SOCIO-ECONOMIC ASSESSMENT**

MONTANA FISH, WILDLIFE & PARKS

Prepared by:
Rob Brooks
August, 2010

I. INTRODUCTION

Montana FWP has the authority under State Law (87-201, Montana Code Annotated) to protect, enhance, and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future. As with other FWP property acquisition proposals, the Fish, Wildlife and Parks Commission and the State Land Board (for easements greater than 100 acres or \$100,000) must approve any easement proposal by the agency. Socioeconomic assessments are a part of the Environmental Assessment (EA) process, and evaluate the significant social and economic impacts of the purchase on local governments, employment, schools, and impacts on local businesses.

This socioeconomic evaluation addresses the purchase of a conservation easement on property currently owned by Larry and Donna Dugas. The report addresses the physical and institutional setting as well as the social and economic impacts associated with the proposed conservation easement.

II. PHYSICAL AND INSTITUTIONAL SETTING

A. Property Description

The 800 acre Dugas Farms property is located in Cascade County just south of Ulm, Montana. The property has approximately 220 acres of riparian habitat along with native rangeland/shrub grassland, and dry land cropland.

B. Habitat and Wildlife Populations

Dugas Farms property as mentioned above has a mix of habitat types. The wetland/riparian areas represent a declining habitat type in Montana and support a diversity of wetland dependant wildlife. This property provides habitat for whitetail deer, upland birds, waterfowl and a host of other species. See the draft Management Plan for the Dugas property for a complete list of species.

C. Current Use

The Dugas Farms property is a working farm raising mostly grain.

D. Management Alternatives

- 1) Purchase a conservation easement on the property by MFWP
- 2) No purchase

MFWP Purchase of Conservation Easement

The intent of the Dugas Farms Conservation Easement is to protect and enhance the wildlife habitat currently found on the property while maintaining the agricultural character of the property. Please refer to the Deed of Conservation Easement for a thorough explanation of the terms for this easement between MFWP and the Dugas Farms property.

No Purchase Alternative

The second alternative, the no purchase option, does not guarantee the protection the native habitats nor protect this land from future subdivision development, changes in land uses, or secure access for the public into the future.

This alternative requires some assumptions since use and management of the property will vary depending on what the current owners decide to do with the property if MFWP does not purchase a conservation easement.

The economic impacts associated with this alternative have not been estimated.

III. SOCIAL AND ECONOMIC IMPACTS

Section II identified the management alternatives this report addresses. The purchase of a conservation easement will provide long-term protection of important wildlife habitat, keep the land in private ownership and provide for public access for hunting. Section III quantifies the social and economic impacts of this management option following two basic accounting stances: financial and local area impacts.

Financial impacts address the cost of the conservation easement to MFWP and discuss the impacts on tax revenues to local government agencies including school districts.

Expenditure data associated with the use of the property provides information for analyzing the impacts these expenditures may have on local businesses (i.e. income and employment).

A. Financial Impacts

The conservation easement proposed on the Dugas Farms property will be secured by funding from a number of sources including the Habitat Montana Program. The purchase price is not to exceed “fair market value” based on the appraisal of the property.

Maintenance/management costs related to the easement are associated with monitoring the property to insure the easement terms are being followed.

The financial impacts to local governments are the potential changes in tax revenues resulting from the purchase of the conservation easement. The conservation easement will not change the ownership of the property nor will it change the type or level of use on the property. Therefore, the purchase of a conservation easement on this land will have no impact on the current level of taxes paid to Cascade County.

B. Economic Impacts

The purchase of a conservation easement will not affect the agricultural activities on the Dugas Farms property. The financial impacts to local businesses will be neutral given there is no significant changes to the agricultural practices on the property.

The easement will provide access for hunting and wildlife viewing. The number of hunters and number of hunter days are defined in the conservation easement agreement. Based on the minimum number of annual hunter days specified in the conservation easement, hunter's expenditures will provide a positive financial impact to businesses in the local economy.

IV. FINDINGS AND CONCLUSIONS

The conservation easement will provide long-term protection for wildlife habitat, maintain the agricultural integrity of the land, and ensure public hunting opportunities.

The purchase of a conservation easement by MFWP will not cause a reduction in tax revenues on this property from their current levels to Cascade County.

The agricultural/ranching operations will continue at their current levels. The financial impacts of the easement on local businesses will be neutral to slightly positive in both the short and long run.